

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of STARR AMEIAR COLLIER and  
DAMONE JOSEPH COLLIER, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TAKISHA SAFER COLLIER,

Respondent-Appellant,

and

DAMONE BEUSCHLEIN,

Respondent.

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UNPUBLISHED

June 24, 2003

No. 245577

Macomb Circuit Court

Family Division

LC No. 98-046162-NA

Before: Sawyer, P.J., and Meter and Schuette, JJ.

PER CURIAM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor children after release pursuant to MCL 710.29(7). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214 (E)(1)(b).

**I. FACTS**

Deante (born 10/21/95) and Jovante (born 10/9/96) became temporary court wards in July 1998 due to neglect and abandonment. Respondent was provided with a treatment plan for reunification and apparently complied with it. The children were returned to her custody in December 1999, although they remained under the jurisdiction of the court.

The Family Independence Agency (FIA) filed a neglect petition as to Starr (born 10/18/99) in February 2000, alleging that respondent had failed to comply with the treatment plan or cooperate with in-home services agencies since the boys were returned to her care. There were several reports that respondent, who was on probation from a controlled substances conviction, was using drugs and selling them out of her home. Due to these allegations, Deante

and Jovante were removed from respondent's custody and returned to foster care. The petition as to Starr was later amended to add allegations that respondent had neglected to get Starr her immunization shots and that she was without stable housing. The court took jurisdiction over Starr in June 2000.

The FIA filed a neglect petition as to Damone (born 8/9/2000) alleging that his siblings were court wards and that respondent had failed to substantially comply with services since Starr was removed from her care. Following an adjudication hearing in September 2000, the court took jurisdiction over Damone. In the meantime, termination proceedings were initiated as to the Deante and Jovante.

In September 2001, the FIA filed a supplemental petition for termination as to Starr and Damone. The petition sought termination under MCL 712A.19b(3)(c)(i), (g), (j) and (m) but did not allege any specific facts. Respondent released her parental rights to Jovante and Deante. The court eventually dismissed the petition in June 2002, but authorized the filing of another petition in September. The new petition sought termination under §§ 19b(3)(c)(i) and (ii), (g), (j) and (m).

In October 2002, the parties appeared before the court. Respondent's counsel indicated that respondent "is willing to sign off her parental rights" to Starr and Damone. Respondent was sworn as a witness and questioned. Respondent stated that she understood that she was relinquishing all her rights as a parent to her children and that she was acting freely and voluntarily. She admitted that release was in the children's best interest because she was unable to provide for them. She signed the necessary forms for the release. Respondent's attorney stated that he had explained all her options to her as well as the pros and cons of release and that respondent understood his advice. She again affirmed her commitment to "sign off" on the children.

The court accepted the release and ordered her rights terminated. Respondent swore that she would not change her mind and appeal. However, she now appeals claiming that the court did not explain the collateral effect of the release.

## II. TERMINATION OF PARENTAL RIGHTS

### A. Standard of Review

To terminate parental rights, the trial court must fully comply with its statutory obligations in MCL 710.29 (6) to explain parental rights and the voluntary and permanent nature of the release before the parents voluntarily terminates his or her rights. This court reviews that the parents released their parental rights voluntarily with full understanding of the proceedings and effect of release. MCL 710.29(6); *In re Blankenship*, 165 Mich App 706, 711-712; 418 NW2d 919 (1988). The trial court must fully explain to the parent his or her legal rights and the voluntary and permanent nature of the relinquishment. MCL 710.29(6); *In re Blankenship*, *supra*.

### B. Analysis

Respondent's parental rights were terminated under MCL 710.29(7), which provides for termination of parental rights where:

(7) Upon the release of a child by a parent or guardian, the court immediately shall issue an order terminating the rights of that parent or guardian to that child. If the rights of both parents, the surviving parent, or the guardian have been terminated, the court shall issue an order committing the child to the child placing agency or department to which the release was given.

A review of the record shows that respondent voluntarily released her parental rights. The trial court fully complied with its statutory obligation to explain to respondent her parental rights and the voluntary and permanent nature of the release. Respondent's contention that the court erred in failing to advise her of the collateral consequences of the release has not been preserved for appeal, *Price v Long Realty, Inc*, 199 Mich App 461, 467; 502 NW2d 337 (1993), and is not supported by the language of the statute. Moreover, given that the termination petition regarding these children was predicated in part on MCL 712A.19b(3)(m) (the parent's rights to another child were voluntarily terminated), respondent's claim that she was unaware that the release could form the basis for subsequent termination proceedings as to future children is without merit.

Affirmed.

/s/ David H. Sawyer  
/s/ Patrick M. Meter  
/s/ Bill Schuette